

**PHYSICAL THERAPY BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Application of:)

Case No. 1D 2002 63612

Sophia Amoudeh)

Amended Order Granting Initial
Probationary License

Applicant)

1) This 43 year old applicant is a 1999 graduate of Loma Linda University, in Loma Linda, California. The applicant filed her physical therapist application on or about August 6, 2002 in the State of California.

2) In August 2002, the applicant submitted an application for physical therapist licensure to the Physical Therapy Board of California. Question # 16 of the application asks: "Have you ever voluntarily surrendered or been denied a license to practice any healing arts or been denied permission to take an examination in any state, U.S. Territory or in any country?" The applicant failed to disclose denial of previous physical therapist application and signed her application on August 6, 2002, certifying under penalty of perjury under the laws of the State of California that the information contained in the application were true and correct.

3) On October 22, 1999, respondent submitted an application to take the Physical Therapist Examination and be licensed as a physical therapist; however, Applicant attested at that time, under penalty of perjury, that the information contained in the application and copies of all documents submitted with the application were true and correct. Applicant also agreed that if she provided any false information in the application, then the false information shall constitute cause for denial, suspension, or revocation of her license to practice as a physical therapist assistant in the State of California. One of the documents the Applicant submitted with her application was a Disability Accomodation Request, dated 10-20-99. The D-1 Form was ostensibly signed by a licensed physician, Dr. Gloria Osae-Addo, MD. According to the D-1 Form attestation stated that respondent required "extra time to take the test. Knowing she (applicant) has extra time, will significantly reduce the level of anxiety." The D-1 Form was not completed or signed by Dr. Osae-Addo. Applicant, and/or her husband created a false D-1 Form using the front of a 1/99 revision of the D-1 Form, and the reverse side of an old (Rev 3/97) form. On March 27, 2000, Applicant's application for licensure as a physical therapist was denied based on these actions.

4) On July 5, 2000 an Accusation was filed.

5) On March 15th 2001, a Proposed Decision was adopted with an effective date of April 16, 2001 ordering Physical Therapist License AT 2214 Revoked.

JURISDICTION

6) Section 480 (a) of the Business and Professions Code states that a board may deny a license regulated by this code on the grounds that the applicant has one of the following: (1) Been convicted of a crime...; (2) Done any act involving dishonesty, fraud or deceit with the intent to substantially benefit himself or another, or substantially injure another; or (3) Done any act which if done by a licentiate of the business or profession in question, would be grounds for suspension or revocation of license... Section 480 (c) of the Business and Professions Code provides that the board may deny a license...on the ground that the applicant knowingly made a false statement of fact required to be revealed in the application for such license. The above findings support a conclusion that grounds for denial exist pursuant to Sections 480 (a)(1)(2) and (3) and 480(c).

7) Section 583 of the Business and Professions Code states that no person shall in any document or writing required of an applicant for examination, license, certificate, or registration under this division, the Osteopathic Initiative Act, or the Chiropractic Initiative Act, willfully make a false statement in a material regard.

8) Section 2660.2 of the Business and Professions Code, the Board may refuse a license to any applicant guilty of unprofessional conduct; or as an alternative, in its sole discretion, issue a probationary license to any applicant for a license who is guilty of unprofessional conduct but has met all the requirements for licensure.

9) Pursuant to Section 480 of the Business and Professions Code, there is cause for denial of a license applicant Sophia F Amoudeh.

10) Pursuant to Section 2660.2 of the Business and Professions Code, there is cause to refuse a license to applicant Sophia F Amoudeh. Under the circumstances of this matter, however, a probationary license may be issued consistent with the public interest to applicant Sophia F Amoudeh on appropriate terms and conditions of probation.


ORDER

IT IS ORDERED THAT the application of Sophia F Amoudeh, for licensure as a physical therapist is hereby issued subject to terms and conditions. Said license shall be subject to all of the following terms and conditions for a period of two (2) years:

1. PROBATION Applicant is placed on probation for a period of two years. Probation begins on the date the initial probationary license is issued.
2. OBEY ALL LAWS Applicant shall obey all federal, state and local laws, and all rules governing the practice of physical therapy in California.
3. QUARTERLY REPORTS Applicant shall submit quarterly declarations under penalty of perjury on forms provided by the Board, stating whether there has been compliance with all the conditions of the probation.
4. RESTRICTION OF PRACTICE - HOME CARE Applicant shall not provide physical therapy services in a patient's home.

5. RESTRICTION OF PRACTICE Prohibition of Self Employment or Ownership
Applicant shall not be the sole proprietor or partner in the ownership of any business that offers physical services. Applicant shall not be a Board member or an officer or have a majority interest in any corporation that offers or provides physical therapy services. Respondent may not employ physical therapists, physical therapist assistants or physical therapy aides.
6. RESTRICTION OF PRACTICE - GRAVEYARD SHIFT Applicant shall be prohibited from working a graveyard shift or any shift in which there is no other physical therapist practicing.
7. RESTRICTION OF PRACTICE - NO EMPLOYMENT OR SUPERVISION OF PHYSICAL THERAPY STUDENT INTERNS Applicant shall not supervise any physical therapy student interns during the entire period of probation. Applicant shall terminate any such supervisory relationship in existence on the effective date of this probation.
8. COMPLIANCE WITH ORDERS OF A COURT Applicant shall be in compliance with any valid order of a court. Being found in contempt of any court may constitute a violation of probation.
9. COMPLIANCE WITH CRIMINAL PROBATION AND PAYMENT OF RESTITUTION Applicant must not violate any terms and conditions of any criminal probation and must be in compliance with any restitution ordered.
10. PROBATION MONITORING PROGRAM COMPLIANCE Applicant shall comply with the Board's probation monitoring program.
11. INTERVIEW WITH THE BOARD OR ITS DESIGNEE Applicant shall appear in person for interviews with the Board, or its designee, upon request at various intervals and with reasonable notice.
12. NOTIFICATION OF PROBATIONARY STATUS TO EMPLOYERS The applicant shall notify all present or future employers of the reason for and the terms and conditions of the probation by providing a copy of the order to the employer. The applicant shall obtain written confirmation from the employer that the document was received. If applicant changes employment or obtains additional employment, applicant shall provide the above notification to the employer and submit written employer confirmation to the Board within 10 days. The notification(s) shall include the name, address and phone number of the employer, and, if different, the name, address and phone number of the work location.
13. NOTIFICATION OF CHANGE OF NAME OR ADDRESS The applicant shall notify the Board, in writing, of any and all changes of name or address within ten (10) days.
14. PROHIBITED USE OF ALIASES Applicant may not use aliases and shall be prohibited from using any name which is not his legally-recognized name or based upon a legal change of name.
15. WORK OF LESS THAN 20 HOURS PER WEEK If the applicant works less than 192 hours in a period of three months in employment related to the provision of physical therapy services, those months shall not be counted toward satisfaction of the probationary period. The applicant shall notify the Board if he works less than 192 hours in a three months period.
16. TOLLING OF PROBATION The period of probation shall run only during the time applicant is practicing within the jurisdiction of California. If, during

probation, applicant does not practice within the jurisdiction of California, applicant is required to immediately notify the probationary monitor in writing of the date that applicant's practice is out of state, and the date of return, if any. Practice by the applicant in California prior to notification to the Board of the applicant's return will not be credited toward completion of probation. Any order for payment of cost recovery shall remain in effect whether or not probation is tolled.

17. VIOLATION OF PROBATION If applicant violates probation in any respect, the Board, after giving applicant notice and the opportunity to be heard, may revoke probation and the license. If an accusation or petition to revoke probation is filed against applicant during probation, the Board shall have continuing jurisdiction until the matter is final, and the period of probation shall be extended until the matter is final.
18. CESSATION OF PRACTICE DUE TO RETIREMENT, HEALTH OR OTHER REASONS Following the effective date of this probation, if applicant ceases practicing physical therapy due to retirement, health or other reasons, applicant may request to surrender his license to the Board. The Board reserves the right to evaluate the applicant's request and to exercise its discretion whether to grant the request or to take any other action deemed appropriate and reasonable under the circumstances. Upon formal acceptance of the tendered license, the terms and conditions of probation shall be tolled until such time as the license is no longer renewable, the applicant makes application for the renewal of the tendered license or makes application for a new license.
19. COMPLETION OF PROBATION Upon successful completion of probation, applicant's license shall be y restored.
20. PRACTICE OR PERFORMANCE OF PHYSICAL THERAPY WHILE ON PROBATION It is not contrary to the public interest for the applicant to practice or perform physical therapy under the probationary conditions specified in the disciplinary order.
21. RESTRICTION OF PRACTICE-PROHIBITION OF DIRECT INSURANCE BILLING Applicant shall not have final approval over any billings submitted to any third-party payor in any employment as a physical therapist.

THIS DECISION SHALL BECOME EFFECTIVE ON November 21, 2003.

IT IS SO ORDERED _____.

Steven K. Hartzell, Executive Officer
Physical Therapy Board of California